

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE:**

**BANKRUPTCY PROCEEDING**

**GLEN LEON COLLINS, SR.  
CHARLOTTE DENISE COLLINS**

**CASE NO. 17-00281 EE**

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**APPLICATION TO EMPLOY COUNSEL**

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COMES NOW Stephen Smith, the Trustee in the above styled and numbered proceeding, and petitions the Court for authority to retain and appoint Derek A. Henderson as attorney and legal counsel for the Trustee, and in support thereof would respectfully show as follows, to-wit:

1.

The Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334, 28 U.S.C. §157 and 11 U.S.C. §350 and Rule 5010 of the Federal Rules of Bankruptcy Procedure.

2.

On January 27, 2017, Glen Leon Collins, Sr. and Charlotte Denise Collins (“Debtors”) filed their petition under Chapter 7 of the United States Bankruptcy Code before the United States Bankruptcy Court for the Southern District of Mississippi. Stephen Smith was appointed the Chapter 7 Trustee (“Trustee”).

3.

In order to facilitate a successful liquidation under this proceeding, it is necessary for the Trustee to employ legal counsel to represent the Trustee.

4.

Applicant desires to employ Derek A. Henderson, Attorney at Law, for the performance of said legal services described herein. Henderson is to be compensated at the rate of \$275.00 per hour

plus costs. Said attorney, whose office is in Jackson, Mississippi, is fully competent to advise the Trustee on all matters which are anticipated to arise in the functioning of this proceeding and to protect and preserve all rights of Applicant and parties in interest.

5.

Said attorney represents no interest adverse to the Debtor or the estate in matters upon which he is to be engaged and the employment of said attorney would be in the best interest of the estate. To the best of Applicant's knowledge, said attorney has no connection with the creditors herein or any party in interest or their respective attorneys and accountants which are prohibited, which would interfere with or hinder the faithful performance of their duties herein, or which need to be described herein.

6.

To the best of Applicant's knowledge, said attorney has no connection with the United States Trustee or any persons employed by the Office of the United States Trustee which are prohibited, which would interfere with or hinder the faithful performance of their duties herein, or which need to be described herein. See Affidavit attached hereto as Exhibit "A".

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that he be authorized to employ and appoint Derek A. Henderson, Jackson, Mississippi, as his attorney and legal counsel and Applicant further prays for such other and more general relief as the Court may deem just.

Respectfully submitted,

By: s / Stephen Smith  
STEPHEN SMITH, TRUSTEE

**CERTIFICATE OF SERVICE**

I, STEPHEN SMITH, do hereby certify that I have this date served, via the ECF Notification Service, which provides electronic notice, a true and correct copy of the above and foregoing Application of Trustee to Employ Counsel to the following:

Eileen N. Shaffer  
[enslaw@bellsouth.net](mailto:enslaw@bellsouth.net)

Stephen Smith  
[trusteel@smithcpafirm.com](mailto:trusteel@smithcpafirm.com)

Office of United States Trustee  
[USTPRegion05.JA.ECF@usdoj.gov](mailto:USTPRegion05.JA.ECF@usdoj.gov)

This, the 9<sup>th</sup> day of February, 2017.

By: s / Stephen Smith  
STEPHEN SMITH

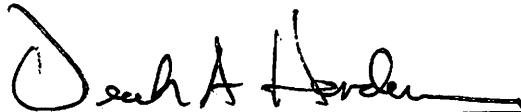
**Stephen Smith**  
**1855 Crane Ridge Drive, Suite D**  
**Jackson, MS 39216**  
**(601) 352-6767**  
**[trusteel@smithcpafirm.com](mailto:trusteel@smithcpafirm.com)**

**AFFIDAVIT**

STATE OF MISSISSIPPI  
COUNTY OF HINDS

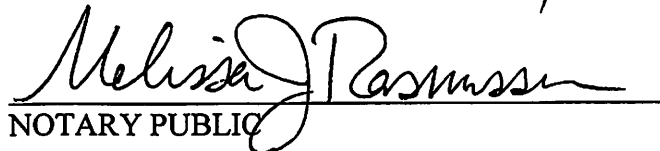
Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid,  
DEREK A. HENDERSON, who by me being duly sworn, deposes on oath as follows:

1. That he has been a resident of the State of Mississippi for fifty-six (56) years and has been a duly licensed attorney and member of the Mississippi State Bar for thirty (30) years.
2. That to the best of his knowledge he is not a creditor, an equity security holder, an insider, or an officer, director, or employee of the debtor within two (2) years before the date of the filing of the petition and does not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders.
3. That to the best of his knowledge he has no disqualifying conflicts.
4. That to the best of his knowledge he has no connection with the United States Trustee or any persons employed by the Office of the United States Trustee.



DEREK A. HENDERSON, MSB #2260  
1765-A- Lelia Drive, Ste 103  
Jackson, MS 39216  
(601) 948-3167  
derek@derekhendersonlaw.com

SWORN TO AND SUBSCRIBED BEFORE ME, this the 9<sup>th</sup> day of February, 2017.

  
NOTARY PUBLIC